

COUNCIL
21 JULY 2015

EXTENSION OF PERIOD FOR A MEMBER TO ATTEND MEETINGS

Report Submitted by: Lynda Willis, Chief Legal Officer & Monitoring Officer
Report Written by: Lynda Willis, Chief Legal Officer & Monitoring Officer

1. Area Affected

1.1 Torfaen County Borough.

2. Purpose of Report

2.1 To seek approval to extend the period within which Cllr John Marshall must attend a meeting in order to remain a member of this authority.

3. Key Messages

- 3.1
- Cllr John Marshall is suffering a period of ill health which currently prevents his attendance at meetings
 - Council should consider granting an appropriate extension of time to avoid his automatic disqualification.

4. Background

4.1 Cllr John Marshall has been an elected Member of this authority since 1983.

4.2 Section 85 (1) of the Local Government Act 1972 specifies that if a Member of a local authority fails throughout a period of six consecutive months from the date of his/her last attendance to attend any meeting of the authority, he/she shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of that authority.

4.3 Cllr John Marshall has suffered a sustained period of ill health since early this year. The last formal meeting of the authority he attended was Council on 3 March 2015.

4.4. Unless extended, the six month period will expire on 3 September 2015. There would be an automatic disqualification. As there is no Council meeting in August, this meeting is the most sensible time to consider the need for a suitable extension.

4.5 Council is therefore asked to extend the period within which Cllr John Marshall must attend a meeting. The Council will need to agree a limit for this extension.

5. Risks

5.1 The risks of not extending the period in these circumstances are that there would be a disqualification through non-attendance based on the ill health of Cllr Marshall.

6. Action to be taken following decision

6.1 The decision of the Council will be notified to Cllr John Marshall.

7. Conclusion/Summary

7.1 The provision in the Local Government Act is meant to cover circumstances where there is willful intention not to attend meetings. Where there are circumstances of ill health which prevents a Member carrying out their duties, then it is appropriate that members of Council consider the circumstances and grant a suitable extension.

8. Recommendation

8.1 That Council agrees to extend the period allowed under Section 85 (1) of the Local Government Act 1972 in respect of Cllr John Marshall for up to three months, or such other period as Council decides.

Background Papers	None
Appendices	None